

EXHIBIT H

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

DEFENDANTS IN ADVERSARY
PROCEEDINGS LISTED ON APPENDIX 1
ATTACHED HERETO,

Defendants.

Adv. Pro. Nos. listed on Appendix 1
Attached Hereto

**[PROPOSED] ORDER AUTHORIZING THE DEPOSITION OF FEDERAL PRISONER
DANIEL BONVENTRE**

On September 21, 2018, Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § § 78aaa *et seq.* (“SIPA”), and the estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), by and through his counsel, filed a Motion for Limited Additional Discovery Based on Prior Orders Authorizing Deposition of Bernard L. Madoff (the “Motion”), ECF No. _____. The Motion sought, *inter alia*, an order

pursuant to Federal Rule of Civil Procedure 30(a), applicable to this proceeding under Rule 7030 of the Federal Rules of Bankruptcy Procedure, to depose Mr. Daniel Bonventre.

The Court heard argument on the Trustee's Motion on October 31, 2018.

For the reasons stated on the record, it is hereby **ORDERED** that:

1. Mr. Bonventre's deposition is authorized;
2. The warden of the Federal Correctional Institute Shuylkill in Minersville, Pennsylvania, is hereby directed to produce Daniel Bonventre, a prisoner with Federal Bureau of Prisons Register # 63156-054, at the warden's office or elsewhere within the facility at a date and time to be determined at the discretion of the warden but not later than January 31, 2019. In accordance with Federal Rule of Civil Procedure 30(b), the deposition will be taken before a notary public or other person duly authorized by law to administer oaths and will be recorded by video and/or stenographically;

3. Counsel from the following law firms may attend the deposition of Mr. Bonventre: (1) Baker Hostetler LLP, as counsel for the Trustee; and (2) Chaitman LLP, Dentons US LLP, Winston & Strawn, McDermott, Will & Emery LLP, Hunton Andrews Kurth LLP, and Blank Rome LLP as counsel for certain defendants ("Participating Defendants' Counsel," with counsel for the Trustee, "Authorized Counsel"). No other appearances are authorized;

4. Except for any counsel that may appear on Mr. Bonventre's behalf, only two attorneys for the Trustee may appear at the deposition; only two attorneys from the Participating Defendants' Counsel may appear; no other appearances are authorized;

5. The Trustee's Counsel shall have the opportunity to commence Mr. Bonventre's examination at deposition, Participating Defendants' Counsel shall then have the opportunity to examine Mr. Bonventre, and the parties then will have the opportunity respectively to conduct

any additional re-direct or re-cross examinations as they deem necessary; the Trustee's counsel shall be permitted to examine Mr. Bonventre for a total of seven (7) hours and Participating Defendants' Counsel shall be permitted to examine Mr. Bonventre for a total of seven (7) hours; no further questioning is authorized without written leave of court;

6. The Court, in its discretion, may impose sanctions on any person or entity that violates any provision of this Order; and

7. This Court shall retain exclusive jurisdiction over the enforcement, implementation, and interpretation of this Order.

Dated: New York, New York
_____, 2018

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

APPENDIX 1

Cases Participating in Madoff's Deposition

| | APN | Case Name | Counsel |
|----|----------|---|--------------------------------|
| 1 | 10-04541 | Kenneth W Perlman, et al. | Blank Rome LLP Chaitman LLP |
| 2 | 10-04428 | Estate of Allen Meisels, et al. | Chaitman LLP |
| 3 | 10-04709 | Andrew M. Goodman | Chaitman LLP |
| 4 | 10-05127 | Atwood Management Profit Sharing Plan & Trust, etc., et al. | Chaitman LLP |
| 5 | 10-05130 | Barbara Kotlikoff Harman | Chaitman LLP |
| 6 | 10-05037 | Barbara L. Savin | Chaitman LLP |
| 7 | 10-04367 | Benjamin T. Heller | Chaitman LLP |
| 8 | 10-05133 | Boyer H. Palmer, individually, et al. | Chaitman LLP |
| 9 | 10-04826 | Boyer Palmer | Chaitman LLP |
| 10 | 10-04753 | Carla Ginsburg | Chaitman LLP |
| 11 | 10-04469 | Carol L. Kamenstein, individually and in her capacity as joint tenant | Chaitman LLP |
| 12 | 10-04956 | D. M. Castelli | Chaitman LLP |
| 13 | 10-04621 | Donald A. Benjamin | Chaitman LLP |
| 14 | 10-05312 | Doron Tavlin Trust U/A 2/4/91, et al. | Chaitman LLP |
| 15 | 10-04914 | Edyne Gordon | Chaitman LLP |
| 16 | 10-04809 | Edyne Gordon NTC | Chaitman LLP |
| 17 | 10-04491 | Elaine Dine Living Trust dated 5/12/06, et al. | Chaitman LLP |
| 18 | 10-04728 | Estate of Bruno L. Di Giulian, et al. | Chaitman LLP |
| 19 | 10-05079 | Estate of James M. Goodman, et al. | Chaitman LLP |
| 20 | 10-04889 | Estate of Robert Shervyn Savin, et al. | Chaitman LLP |
| 21 | 10-04438 | Estate of Seymour Epstein, et al. | Chaitman LLP |
| 22 | 10-04867 | Estate of Steven I. Harnick, et al. | Chaitman LLP |
| 23 | 10-04397 | Fern C. Palmer Revocable Trust Dtd 12/31/9, et al. | Chaitman LLP |
| 24 | 10-04823 | Frank DiFazio, et al. | Chaitman LLP |
| 25 | 10-04327 | Gertrude E. Alpern Revocable Trust, et al. | Chaitman LLP |
| 26 | 10-04920 | Glenhaven Limited, et al. | Chaitman LLP |
| 27 | 10-04991 | Guiducci Family Limited Partnership, et al. | Chaitman LLP |
| 28 | 10-05420 | Gunther K. Unflat, et al. | Chaitman LLP |
| 29 | 10-04912 | Harry Smith Revocable Living Trust, et al. | Chaitman LLP |
| 30 | 10-04321 | Herbert Barbanel, et al. | Chaitman LLP |
| 31 | 10-05128 | JABA Associates LP, et al. | Chaitman LLP |
| 32 | 10-04655 | Jaffe Family Investment Partnership, et al. | Chaitman LLP |
| 33 | 10-04762 | James M. Goodman | Chaitman LLP |
| 34 | 10-04979 | James M. New Trust dtd 3/19/01, et al. | Chaitman LLP |
| 35 | 10-04798 | Janet Jaffe, et al. | Chaitman LLP |
| 36 | 10-04545 | Jerome Goodman, et al. | Chaitman LLP |
| 37 | 10-04302 | Joan Roman | Chaitman LLP |
| 38 | 10-04503 | Judd Robbins | Chaitman LLP |
| 39 | 10-05435 | Keith Schaffer, et al. | Chaitman LLP |
| 40 | 10-04806 | Kenneth M. Kohl, as an individual and as a joint tenant, et al. | Chaitman LLP |
| 41 | 10-04752 | Kuntzman Family LLC, et al. | Chaitman LLP |
| 42 | 10-05184 | Laura Ann Smith Revocable Living Trust, et al. | Chaitman LLP |
| 43 | 10-05116 | Leonard J. Oguss Trust, et al. | Chaitman LLP |
| 44 | 10-04837 | Leslie Ehrlich f/k/a Leslie Harwood , et al. | Chaitman LLP |
| 45 | 10-04878 | Lisa Beth Nissenbaum Trust, et al. | Chaitman LLP |
| 46 | 10-04748 | Mark Horowitz | Chaitman LLP |
| 47 | 10-04489 | Marlene Krauss | Chaitman LLP |
| 48 | 10-05151 | Palmer Family Trust, et al. | Chaitman LLP |
| 49 | 10-04648 | Peter D. Kamenstein | Chaitman LLP |
| 50 | 10-04749 | Philip F. Palmedo | Chaitman LLP |
| 51 | 10-04768 | Placon2, William R. Cohen, et al. | Chaitman LLP |

| | APN | Case Name | Counsel |
|----|----------|---|----------------------------|
| 52 | 10-05150 | Plafsky Family LLC Retirement Plan, Robert Plafsky, et al. | Chaitman LLP |
| 53 | 10-05377 | Richard G. Eaton | Chaitman LLP |
| 54 | 10-04562 | Robert F. Ferber | Chaitman LLP |
| 55 | 10-04740 | Robert Hirsch, as an individual, and as joint tenant, et al. | Chaitman LLP |
| 56 | 10-04292 | Robert Roman | Chaitman LLP |
| 57 | 10-04614 | Robert S. Whitman | Chaitman LLP |
| 58 | 10-04487 | Robert Weintraub, et al. | Chaitman LLP |
| 59 | 10-04644 | Russell L. Dusek | Chaitman LLP |
| 60 | 10-04961 | Sylvan Associates LLC f/k/a Sylvan Associates Ltd Partnership, et al. | Chaitman LLP |
| 61 | 10-04539 | The Gerald and Barbara Keller Family Trust, et al. | Chaitman LLP |
| 62 | 10-05104 | The Gloria Albert Sandler and Maurice Sandler Revocable Living Trust | Chaitman LLP |
| 63 | 10-05157 | The Harnick Brothers Partnership, et al. | Chaitman LLP |
| 64 | 10-04718 | The Jordan H. Kart Revocable Trust, et al. | Chaitman LLP |
| 65 | 10-05124 | The Lawrence J. Ryan and Theresa R. Ryan Revocable Living Trust, et al. | Chaitman LLP |
| 66 | 10-04610 | The Whitman Partnership, et al. | Chaitman LLP |
| 67 | 10-04818 | Toby Harwood | Chaitman LLP |
| 68 | 10-04905 | Train Klan, a Partnership, et al. | Chaitman LLP |
| 69 | 10-04446 | Trust Dated 12/6/99 Walter and Eugenie Kissinger, et al. | Chaitman LLP |
| 70 | 10-04995 | Trust U/Art Fourt O/W/O Israel Wilenitz, et al. | Chaitman LLP |
| 71 | 10-05026 | Walter Freshman Trust A, a Florida trust, et al. | Chaitman LLP |
| 72 | 10-05196 | Whitman 1990 Trust U/A DTD 4/13/90, et al. | Chaitman LLP |
| 73 | 10-04570 | Jacob M. Dick Rev Living Trust DTD 4/6/01, et al. | Chaitman LLPPro Se |
| 74 | 10-04352 | RAR Entrepreneurial Fund LTD, et al. | Chaitman LLPPro Se |
| 75 | 10-04925 | Alvin Gindel Revocable Trust, a Florida trust, et al. | Dentons US LLP |
| 76 | 10-04332 | Barry Weisfeld | Dentons US LLP |
| 77 | 10-04861 | Harold J. Hein | Dentons US LLP |
| 78 | 10-04357 | James Greiff | Dentons US LLP |
| 79 | 10-05209 | Lapin Children LLC | Dentons US LLP |
| 80 | 10-04882 | Laura E. Guggenheimer Cole | Dentons US LLP |
| 81 | 10-05384 | Neil Reger Profit Sharing Keogh, et al. | Dentons US LLP |
| 82 | 10-04401 | Rose Gindel Trust, et al. | Dentons US LLP |
| 83 | 10-04702 | S&L Partnership, a New York partnership, et al. | Dentons US LLP |
| 84 | 10-04672 | Sidney Cole | Dentons US LLP |
| 85 | 10-04921 | Stanley T. Miller | Dentons US LLP |
| 86 | 10-04415 | The Estate of Barbara Berdon, et al. | Dentons US LLP |
| 87 | 10-04486 | The Norma Shapiro Revocable Declaration of Trust Under Agreement Date | Dentons US LLP |
| 88 | 10-05236 | Toby T. Hobish, et al. | Dentons US LLP |
| 89 | 10-05257 | Edward A. Zraick, Jr., individually and as joint tenant, et al. | Huntton Andrews Kurth LLP |
| 90 | 10-04362 | Sage Associates, et al. | McDermott Will & Emery LLP |
| 91 | 10-04400 | Sage Realty, et al. | McDermott Will & Emery LLP |
| 92 | 10-04931 | Cantor, et al. | Winston & Strawn LLP |